

2017 Lobbyist Registration Audit of Mark Cate

FINDING(S)

Mark Cate failed to timely register for three of his employers (See Registrations section).

EMPLOYER(S)

- Acadia
- American Kidney Fund
- BellSouth Telecommunications, LLC d/b/a AT&T Tennessee
- Blount Partnership
- Catholic Memphis Urban Schools, Inc.
- Connecticut General Life Insurance Company
- Corizon Health, Inc.
- Ernst & Young LLP
- Greater Nashville Regional Council
- Koch Companies Public Sector, LLC and Affiliates
- LHP Capital, LLC
- Maximus, Inc.
- Methodist Le Bonheur Healthcare
- Nashville Convention and Visitors Bureau
- Nashville Soccer Holdings, LLC
- PayIt, LLC
- SAS Institute Inc.
- Science Applications International Corporation
- Southern College of Optometry
- TN Performing Arts Center
- Tri-Cities Airport Authority
- University of Memphis Foundation
- Uptown Property Holdings LLC
- VitalSource
- Volkert, Inc.
- YouScience, LLC

REGISTRATION(S)

Mr. Cate registered as a lobbyist for twenty-six employers during 2017. Based on the audit documentation, Mr. Cate timely registered his lobbying relationship with twenty-three employers. The remaining three relationships appear to have been registered late. The details of these registrations are in the subsequent paragraphs.

Koch Companies Public Sector, LLC and Affiliates

Mr. Cate works for a firm which contracts with several clients for lobbying services. The firm which employs Mr. Cate contracted with Koch Companies Public Sector, LLC and Affiliates for lobbying services. Based on the contract provided it appears a lobbying relationship requiring registration was commenced on April 1, 2017. Based on the registrations of the lobbyist and firm, it appears the employer considered Mr. Cate a lobbyist from the commencement of the contract. Therefore, the audit determined Mr. Cate was required to register within seven days of the agreement, April 8, 2017. The lobbyist did not register until April 12, 4 days late.

Nashville Soccer Holdings, LLC

The firm also contracted with Nashville Soccer Holdings, LLC for lobbying services. The client appears to be a new lobbyist client for the firm in 2017. Based on contracts provided by the lobbyist, it appears to indicate the lobbying relationship requiring registration commenced on January 18, 2017. Therefore, the lobbyist was required to register by January 25, 2017. The lobbyist did not register until January 31, 6 days late.

VitalSource

The firm also contracted with VitalSource for lobbying services for the first time in 2017. Based on contracts provided by the lobbyist, it appears to indicate the lobbying relationship requiring registration commenced on April 1, 2017. Therefore, the lobbyist was required to register by April 8, 2017. The lobbyist did not register until April 13, 5 days late.

Based on review of the Bureau of Ethics and Campaign Finance's lobbyist records, Mr. Cate paid all registration fees.

LOBBYING AGREEMENT(S)

Based on a review of the audit documentation provided by Mr. Cate, he was a contracted lobbyist employed by a firm. The firm had a written contracts or letters of understanding with each employer. The terms of these documents appear to be within the statutes for lobbying activities including having no terms for contingency payments based on lobbying success.

FAMILY OR BUSINESS ARRANGEMENTS WITH PUBLIC OFFICIALS

Mr. Cate reported he had no business or familial relationships with persons who were officials in the legislative branch or officials in the executive branch.

TRAINING

Based on review of the Bureau of Ethics and Campaign Finance's lobbyist records, Mr. Cate completed his required lobbyist training for the 2017 registration year and paid all training fees.